



# MINUTES

## Planning Committee

<b>Date:</b>	Wednesday, 24 January 2024
<b>Venue:</b>	Town Hall, St Annes Road West, St Annes, FY8 1LW
<b>Committee Members Present:</b>	Councillor Richard Redcliffe (Chairman) Councillor Gavin Harrison (Vice-Chairman) Councillors Tim Armit, Chris Dixon, Martin Evans, Kelly Farrington, Noreen Griffiths, Jayne Nixon, Sandra Pitman, Vince Settle.
<b>Officers Present:</b>	Mark Evans, Ian Curtis, Rob Buffham, Matthew Taylor, Kenneth Jim, Maisie Willder and Katharine McDonnell
<b>Other Attendees:</b>	Seven members of the public

A recording of the meeting can be viewed online at the following link: [Planning Committee, 24 January 2024](#)

### Public Speaking at Planning Committee

Two requests to speak relating to an application had been received. In regard to application 23/0643 Land between Wharf Street and West Cliffe, Lytham Mrs Watters spoke against the application, and Mr Jones, agent for the applicant spoke in support of the application.

### Procedural Items

#### 1. Declarations of Interest

Members were reminded that any disclosable pecuniary interests should be declared as required by the Localism Act 2011 and any personal or prejudicial interests should be declared as required by the Council's Code of Conduct for Members. There were no declarations on this occasion.

#### 2. Confirmation of Minutes

RESOLVED: To approve the minutes of the Planning Committee meeting held on 20 December 2023 as a correct record for signature by the Chairman.

#### 3. Substitute Members

There were no substitutions on this occasion.

### Decision Items

#### 4. Planning Matters

The Committee considered the schedule of planning applications.

Following detailed consideration of each application, it was RESOLVED to decide the applications as set out in the following table, with the detailed reasons and conditions set out in the schedule that follows.

Appn No.	Location	Summary of Decision
23/0513	Wrea Green Tennis Club, Mill Lane, Ribby with Wrea, PR4 2WP	Granted
23/0637	258 Lytham Road, Bryning with Warton, PR4 1AY	Delegated to officers for approval subject to s106 agreement.
23/0643	Land between Wharf Street and West Cliffe (former AXA car park), West Cliffe, Lytham, FY8 5DR	Delegated to officers for approval subject to s106 agreement
23/0807	Pathways Stables, Pathways, Blackpool Road, Newton with Clifton, PR4 3RJ	Granted

(Councillor Evans was not present for the consideration of applications 23/0513, 23/0637 or 23/0807)

(Councillor Pitman left the room for a period during the consideration of application 23/0513 and therefore did not vote on the matter).

#### Information Items

The following information item was received and noted by the Committee.

5. The Levelling Up and Regeneration Act 2023 and Consequential Revisions to the National Planning Policy Framework

The committee noted the information, and noted there would be training for the committee on the changes.

6. List of Appeals Decided

There had been two appeals decided between 7 December 2023 and 11 January 2024.

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<b>Application No:</b>	23/0513	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	Wrea Green Tennis Club	<b>Agent:</b>	Wrea Green Tennis Club
<b>Location:</b>	WREA GREEN TENNIS CLUB, MILL LANE, RIBBY WITH WREA PRESTON PR4 2WP		
<b>Proposal:</b>	ERECTION OF 12 NO. 6.5M HIGH LIGHTING COLUMNS TO TWO TENNIS COURTS		
<b>Ward:</b>	Wrea Green with Westby	<b>Parish:</b>	Ribby with Wrea

**Decision**

Granted

**Conditions**

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This approval relates to the following plans:

- OS Base Location Plan (received by the Local Planning Authority on 23/08/2023)
- Site Plan (received by the Local Planning Authority on 14/09/2023)
- Proposed Column Elevations (received by the Local Planning Authority on 11/08/2023)

The development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development complies with the requirements in Schedule 2, Part 1, Class AA, Paragraph AA.3 (14) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, any external lighting on the site shall be installed in accordance with the lighting scheme indicated on report reference CalcuLuX Area 7.9.0.0, received by the Local Planning Authority on 23/08/2023, including the details of the illumination and the measures to ensure light is directed to the courts only. No other lighting shall be installed on the site unless a scheme including details of: (i) its position and height on the site; (ii) its spillage, luminance and angle of installation; and (iii) any shields, hoods or timers to be fitted to the lights, has been submitted to and approved in writing by the Local Planning Authority prior to its installation.

Reason: To ensure that any external lighting to be installed at the site does not cause a nuisance to surrounding occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

4. The lighting hereby approved shall only be operational between dawn and 9pm on any day.

Reason: To ensure that the increased timescale of activity associated with the lighting and the disturbance to neighbouring amenity that could arise from the use of the lighting is appropriately restricted to avoid creating undue harm to the amenity of neighbouring residents and the character of the surrounding area. This is to ensure compliance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

**Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

<b>Application No:</b>	23/0637	<b>Application Type:</b>	Outline planning application
<b>Applicant:</b>	MULLER PROPERTY GROUP	<b>Agent:</b>	MR JAKE MCLEOD
<b>Location:</b>	258 LYTHAM ROAD, BRYNING WITH WARTON, PRESTON PR4 1AY		
<b>Proposal:</b>	OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE EXISTING BUILDINGS AND STRUCTURES, AND THE ERECTION OF A RESIDENTIAL CARE HOME WITH UP TO 76 BEDROOMS (USE CLASS C2), INCLUDING A SUB-STATION, VEHICULAR ACCESS, CAR PARKING, SERVICING AND OTHER ASSOCIATED WORKS, (ACCESS, APPEARANCE, LAYOUT AND SCALE APPLIED FOR ONLY).		
<b>Ward:</b>	Warton	<b>Parish:</b>	Bryning with Warton

### Decision

That authority is delegated to the Head of Planning to GRANT planning permission subject to stipulation 1 below being satisfied, Stipulation 2 being undertaken, and the suggested conditions in stipulation 3 (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable), or otherwise to refuse permission:

#### Stipulation 1:

The completion of a planning obligation entered into pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a) Restrictions on the eligibility of future occupiers of the development to people over 55 years of age with a care need.
- b) a financial contribution of £20,839 towards addressing the expected shortfall in Primary Care capacity to serve the occupants of the development to be spent in connection with the provision of additional clinical capacity at Holland House Surgery, Lytham, in accordance with the requirements of Policies HW2 and INF2 of the FLPPR
- c) A fee equivalent to £300 per trigger towards the Council’s costs incurred in monitoring the contributions set out in b) above.

#### Stipulation 2

The shadow habitat Regulation Assessment produced by the applicant’s consultants is formally adopted by the council.

#### Stipulation 3:

The following conditions (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable):

1. Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission.

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Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The approval of the local planning authority shall be sought in respect of the following matters (hereinafter referred to as the "reserved matters") before any development takes place:

- Landscaping.

Reason: The application is granted in outline only under the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) Order 2015 and details of the matters referred to in the condition have not been submitted for consideration.

4. This permission relates to the following plans:

- Site Location Plan - Drawing no. (9-) 1 revision B
- Proposed Site Plan - Drawing no. H.22.104 (9-) 2 revision D
- Proposed Ground Floor Plan - Drawing no. H.22.104 (00) 1
- Proposed First Floor Plan - Drawing no. H.22.104 (00) 2
- Proposed Roof Plan - Drawing no. H.22.104 (27) 1
- Proposed East Elevation - Drawing no. H.22.104 (21) 4
- Proposed South Elevation - Drawing no. H.22.104 (21) 2 revision C
- Proposed North Elevation - Drawing no. H.22.104 (21) 3 revision A
- Proposed West Elevation - Drawing no. H.22.104 (21) 5 revision A
- Proposed Cycle Store - Drawing no. H.22.104 (90) 2
- Proposed Bin Store - Drawing no. H.22.104 (90) 3
- Proposed Substation H.22.104 (90) 1

Except as provided for by other conditions to this permission, any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with and/or not exceed the details shown on the approved plans insofar as they relate to the site area, the quantum of development and the means of access to the development.

Reason: The application is granted in outline only in accordance with the provisions of Article 5 of the Town and Country Planning (Development Management Procedure) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established by this permission.

5. Any application which seeks approval for the reserved matter of landscaping pursuant to condition 3 of this permission shall include a hard and soft landscaping scheme which demonstrates compliance with the

landscaping strategy indicated on the Proposed Site Plan (Drawing no. H.22.101 (9-) 2 revision D). The soft landscaping scheme shall include, but not be limited to, the following details:

- a) all trees, hedgerows and any other vegetation on/overhanging the site to be retained, including but not limited to the hedgerow located to the southern boundary of the site, as well as trees and hedgerow located to the western boundary of the site.
- b) all trees, hedgerows and any other vegetation on/overhanging the site to be removed,
- c) compensatory planting to replace any trees or hedgerows to be removed under b);
- d) the strengthening and/or introduction of landscaping buffers along the north, south, east and western boundaries of the site;
- e) the introduction of additional planting within the site which forms part of the internal development layout and does not fall within a), c) or d);
- f) the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs.

The duly approved landscaping scheme shall be carried out during the first planting season that occurs after the development is substantially completed. The areas which are landscaped shall be maintained as landscaped areas thereafter in accordance with a maintenance scheme which has been submitted to and approved in writing by the Local Planning Authority before any of the dwellings are first occupied. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure appropriate landscaping of the site in order that the development assimilates sympathetically into its surroundings, to provide an appropriate landscape buffer with surrounding land uses, to enhance the character of the street scene and to provide appropriate biodiversity enhancements in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1, ENV2 and GD7, and the National Planning Policy Framework.

6. The residential accommodation within the care home hereby approved shall only be occupied by qualifying occupants where at least one member of the household is aged 55 or above and is in receipt of a minimum of 1.5 hours of care per week, save that such a restriction shall not apply to the continued occupation of the accommodation by a surviving spouse, partner or other member of the household who is under the qualifying age and is not in receipt of care after the death of the member of the household who was of the qualifying age and in receipt of care.

Reason: To ensure that the approved care home and assisted living units fall properly within use class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and, accordingly, that those units of residential accommodation would not attract or be required to make contributions towards affordable housing or education in accordance with the provisions of policies H2 and INF2 of the Fylde Council Local Plan to 2032 (incorporating Partial Review), and the National Planning Policy Framework.

7. No above ground works of development shall take place until details of the finished floor levels for the care home and the ground levels for the external areas of the site, above ordnance datum, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the development and neighbouring properties of the application site, so as to ensure a good standard of amenity for existing and future occupiers, and in the interests of visual amenity, in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

8. Notwithstanding any description of materials in the application and the requirements of condition 2 of this permission, no above ground works of development shall take place until samples or full details of all materials

to be used on the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure use of appropriate materials which are sympathetic to the character of surrounding buildings and the street scene in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

9. Notwithstanding any details shown on the approved plans and the requirements of condition 4 of this permission, the development hereby approved shall not be occupied until details of the siting, height, design, materials and finish of all boundary treatments within the development have been submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be constructed in full accordance with the duly approved details prior to first occupation of the development and shall be retained as such thereafter.

Reason: To achieve clear demarcation of public and private areas and to ensure that the design of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 policy GD7 (incorporating Partial Review) and the National Planning Policy Framework.

10. No development shall take place until a report containing details of an investigation and risk assessment to determine the nature and extent of any contamination on the site (including whether it originates on the site) has been submitted to and approved in writing by the Local Planning Authority. The submitted report shall include:

- a) a survey of the extent, scale and nature of contamination;
- b) an assessment of the potential risks to: i) human health; ii) property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes; iii) adjoining land; iv) groundwaters and surface waters; v) ecological systems; and vi) archaeological sites and ancient monuments.

where necessary, an appraisal of any remedial options required and a proposal for the preferred option(s) to form a remediation strategy for the site.

The development shall thereafter be carried out in full accordance with the duly approved remediation strategy and a verification report confirming its implementation shall be submitted to and approved in writing by the Local Planning Authority before any of the dwellings hereby approved are first occupied.

Reason: In order that appropriate investigations are undertaken to determine whether the site (or part of it) is contaminated before any development takes place, to avoid any disturbance of contaminated land while carrying out the development, to ensure the safe development of the site and to secure appropriate remediation of any contamination before development takes place in order to prevent pollution of the surrounding environment in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD9 and the National Planning Policy Framework.

11. The noise attenuation measures for the development hereby approved identified in paragraph 5.1 of the Noise Impact Assessment (ref: e3p, 50-799-R1-5, 04/09/2023) shall be implemented prior to any occupation of the development. The duly implemented attenuation measures shall be retained as such thereafter.

Reason: To ensure the implementation of appropriate noise attenuation measures for the proposed dwellings in order to achieve satisfactory living conditions for future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.



12. Prior to commencement of the development hereby approved, a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The detailed surface water sustainable drainage scheme shall be based upon the site-specific flood risk assessment (Ref: GeoSmart Information, 78714R3, August 2023) and indicative surface water sustainable drainage strategy (Ref: GeoSmart Information, 78714.01.02R1, August 2023) submitted and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

Unless otherwise agreed in writing by the Local Planning Authority, no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.

The drainage scheme(s) should include, unless otherwise agreed in writing by the Local Planning Authority:

- (a) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
  - (b) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 5 l/s;
  - (c) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
  - (d) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and
  - (e) Foul and surface water shall drain on separate systems.
- f) Sustainable drainage calculations for peak flow control and volume control for the:
- i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 50% climate change allowance, with an allowance for urban creep
- g) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;
  - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;
  - iii. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
  - iv. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;
  - v. Details of proposals to collect and mitigate surface water runoff from the development boundary;
  - vi. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;
- h) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365.

The approved scheme(s) shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with policies CL1 and CL2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

13. The development hereby approved shall not be occupied until details of a management and maintenance scheme for the surface water drainage system to be installed pursuant to condition 12 of this permission has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover the full lifetime of the drainage system and, as a minimum, shall include:

- a) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures.
- b) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity.
- c) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life.
- d) Means of access for maintenance and easements.

The surface water drainage system shall thereafter be managed and maintained in accordance with the details and timetable contained within the duly approved scheme.

Reason: To ensure that satisfactory measures are put in place for the management and maintenance of the surface water drainage system and associated sustainable drainage features throughout the lifetime of the development in order to minimise the risk of flooding from the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2, and the National Planning Policy Framework.

14. Prior to commencement of the development hereby approved, a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.

The submitted access scheme shall accord with Drawing no. H.22.104 (9-) 2 revision D and make provision of drop kerb with tactile paving arrangement to facilitate the crossing over the access by pedestrians.

The approved access design, as well as the pedestrian access points, car parking (including disabled and motorbike spaces, and electric vehicle charging bays), covered cycle store and vehicular manoeuvring areas, as detailed on Drawing no's. H.22.101 (9-) 2 revision D and H.22.104 (90) 2, must be made available for use prior to first occupation of the development and retained as such thereafter.

Reason: For the avoidance of doubt, to ensure that the development is carried out in accordance with the approved plans in the interests of highway safety in accordance with the policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

15. The Travel Plan (ref: Sanderson Associates, 153381, September 2023) shall be implemented in accordance with the approved details and timetable contained therein for duration of the development hereby approved.

Reason: In order to promote modal shift and increased use of sustainable methods of travel in accordance with Policies GD7 and T4 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

16. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:

- a) areas designated for the loading, unloading and storage of plant and materials;
- b) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;

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- c) arrangements for the parking of vehicles for site operatives and visitors;
- d) arrangements for vehicle manoeuvring to be made within the site including swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
- e) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
- f) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;
- g) measures to protect vulnerable road users (pedestrians and cyclists);
- h) measures to control the emission of dust and dirt during the construction period;
- i) measures to monitor, mitigate and control noise and vibration during the construction period, including the management of complaints;
- j) a nominated person who will act as the 24 hour point of contact in the event of any emergencies;
- k) the siting, luminance and design of any external lighting to be used during the construction period;
- l) the erection and maintenance of security hoarding;
- m) the details of cranes and other tall construction equipment;
- n) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: To ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and general disturbance which may harm the amenity of surrounding occupiers, and to avoid undue obstruction of and/or disruption to the function of the surrounding highway network during the construction of the development in the interests of highway safety, and in the interests of aviation safety, in accordance with Policies GD7 and T2 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

17. On site works associated to demolition, site clearance and construction, including any heavy vehicular movements and deliveries to/from the site, shall only take place between the hours of:

08:00 - 18:00 Monday to Friday.

09:00 - 13:00 Saturday.

No on site works on Sundays or Bank Holidays.

Reason: To ensure that appropriate measures are put in place to limit the potential for noise, nuisance and disturbance to the occupiers of neighbouring properties during the construction of the development in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

18. The privacy screen to the western side of the first floor roof terrace positioned on the western elevation as indicated on drawing no. H.22.104 (21) 5 revision A, as well as the privacy screen to the western side of the first floor roof terrace positioned on the northern elevation as indicated on drawing no. H.22.104 (21) 3 revision A, shall be a minimum of 1.8m in height and fitted with obscured glass which achieves a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) before the balcony is first brought into use. The duly installed privacy screen shall be retained as such thereafter.

Reason: To safeguard the privacy of neighbouring occupiers by limiting the potential for overlooking towards surrounding dwellings and/or their outdoor amenity areas in accordance with Policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

19. Prior to commencement of the development hereby approved, a scheme for the provision of ecological mitigation and enhancement measures within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on those mitigation measures outlined on

paragraph 4.2 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (arbtech, issue no. 2, 24/03/2023) and include:

- a) Details of the area, siting, size and design of all ecological mitigation and enhancement measures and features to be introduced as part of the development.
- b) A timetable and phasing plan for the introduction of the measures and features set out in a).
- c) Details for the ongoing management and maintenance of the measures and features set out in a).

The approved ecological mitigation and enhancement measures shall be provided in accordance with the details and timetable contained within the duly approved scheme, and shall be managed and maintained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements and mitigation in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and ENV2, and the National Planning Policy Framework.

20. The development hereby approved shall be constructed in complete accordance with the reasonable avoidance measures for amphibians and hedgehogs outlined in paragraph 4.2 of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (arbtech, issue no. 2, 24/03/2023).

Reason: To ensure that adequate mitigation measures are introduced during construction of the development to ensure the favourable conservation status of any protected species in accordance with Policy ENV2 of the Fylde Local Plan to 2032 (incorporating Partial review), the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended).

21. Any application for approval of reserved matters submitted after after 20th March 2025 pursuant to condition 3 of this permission shall include an updated bat survey of the site. The survey shall establish whether features/habitats on the site are utilised by bats and provide a method statement to confirm the necessary mitigation measures in the event that bat populations are found to be present. The duly approved method statement shall be implemented in full accordance with the details, recommendations and timescales contained within the approved method statement and retained as such thereafter.

Reason: The existing bat surveys undertaken are valid for a limited period of time. Due to the outline nature of the planning application, further surveys are required to establish whether habitats on the site which are potentially suitable to support bats are (or have become) used by these species since the initial surveys were carried out. If the additional surveys reveal that such a presence has become established, then there will be a requirement to ensure that adequate mitigation measures are introduced as part of the development in order that it does not adversely affect the favourable conservation status of any protected species in accordance with Policy ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review), the National Planning Policy Framework, the Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended).

22. No external lighting shall be installed on the site until a scheme for the installation of any exterior lighting on the buildings and the external areas of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with best industrial practice contained in the Institution of Lighting Professionals and Bat Conservation Trust publication - Guidance Note 08/18: Bats and artificial lighting in the UK, and shall include details of the lighting's:

- a) position and height on the building and/or site;
- b) spillage, luminance and angle of installation, which shall be designed to avoid light spillage towards those areas/features on the site that are particularly sensitive for bats and that are likely to cause disturbance in or

around their breeding sites and resting places or along important routes used to access key areas of their territory; and  
c) any hoods to be fixed to the lights.

All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

Reason: To ensure that any exterior lighting to be installed at the site does not cause a nuisance to surrounding occupiers or undermine the value and use of retained and enhanced habitats within the site for protected species (specifically bats) as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, and the National Planning Policy Framework.

23.No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with Policy ENV2 of the Fylde Local Plan to 2032 (incorporating Partial Review), the provisions of the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

24.No development shall take place until a construction exclusion zone (including protective fencing of a height and design which accords with the requirements BS 5837:2012) has been formed around the root protection areas of those trees and hedgerows within and/or overhanging the site which are to be retained and/ or newly planted.

The construction exclusion zone shall be present on site for the period of construction works.

Reason: To ensure that adequate measures are put in place to protect existing trees and hedgerows which are shown to be retained as part of the development before any construction works commence in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies ENV1 and GD7.

25.There shall be no lopping, topping or felling of any trees or hedgerow on or overhanging the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to protect the existing and any newly planted trees on the site, in the interests of visual amenity, in accordance with Policies GD7 and ENV2 of the Fylde Local Plan to 2032 (Incorporating Partial Review) and the National Planning Policy Framework.

26.Notwithstanding the provisions of Schedule 2, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), the premises shall be used as an elderly care home only with room use limited to that as indicated on the approved floor plan drawings (ref: Proposed Ground Floor Plan - Drawing no. H.22.104 (00) 1 and Proposed First Floor Plan - Drawing no. H.22.104 (00) 2) , and for no other purpose (including any other uses falling within class C2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to those classes in any statutory instrument amending or replacing that Order.

Reason: To ensure that the use of the premises remains compatible with the character of surrounding uses, to ensure that the level of parking provided by the development remains sufficient to serve the use in the

interests of highway safety; in accordance with the requirements of policy GD7 of the Fylde Local Plan to 2032 (incorporating Partial Review) and the National Planning Policy Framework.

27. The cafe/ bistro, and hair/ nail salon uses shall remain ancillary to the specialist elderly accommodation hereby approved and shall only be available for use by those working at the premises, occupants of the development and their visitors.

Reason: In order to avoid conflict with town centre retail policies and ensure appropriate levels of car parking on the site, in accordance with Policies EC5, GD7 and T5 of the Fylde Council Local Plan to 2032 (incorporating Partial Review) and the NPPF.

### **Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. Habitat Regulation Assessment Adoption Informative:

In issuing this decision the local planning authority has had regard to the document titled 'HRA Screening Report' (arbtech, Issue no. 2, 24/11/2023 and the comments from Natural England in their letter dated 19th December 2023 confirming that they are in agreement with the report findings that the development, either alone or in combination with other plans or projects, would not have significant adverse impacts on designated sites (Ribble and Alt Estuaries Special Protection Area (SPA) and Ribble and Alt Estuaries Ramsar) or damage or destroy the interest features for which Ribble Estuary Site of Special Scientific Interest (SSSI) has been notified.

In order to fulfil its duty as a Competent Authority in accordance with the requirements of regulations 63 and 64 of The Conservation of Habitats and Species Regulations 2017 (as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019), the Local Planning Authority has adopted the above mentioned Habitat Regulations Assessment by 'arbtech consultants' as part of its decision.

3. Invasive Species Informative

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as *Cotoneaster horizontalis* are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

<b>Application No:</b>	23/0643	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	GLADMAN RETIREMENT LIVING	<b>Agent:</b>	GLADMAN RETIREMENT LIVING
<b>Location:</b>	LAND BETWEEN WHARF STREET AND WEST CLIFFE (FORMER AXA CAR PARK), WEST CLIFFE, LYTHAM FY8 5DR		
<b>Proposal:</b>	RE-DEVELOPMENT OF THE SITE FOR SPECIALIST ACCOMMODATION FOR THE ELDERLY CONSISTING OF UP TO 18 APARTMENTS WITH CARE (USE CLASS C2) AND ASSOCIATED LANDSCAPING, ACCESS ROADS, CAR PARKING, SERVICES AND STORAGE BUILDINGS		
<b>Ward:</b>	Lytham West	<b>Parish:</b>	

**Decision**

That authority is delegated to the Head of Planning to GRANT planning permission subject to stipulation 1 below being satisfied and the suggested conditions in stipulation 2 (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable), or otherwise to refuse permission:

Stipulation 1:

The completion of a planning obligation entered into pursuant to section 106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- a) Restrictions on the eligibility of future occupiers of the development to people over 55 years of age with a care need.
- b) A contribution of £1,000 per dwelling towards a scheme of public realm improvements on Clifton Street, Lytham.
- c) A contribution of £9,323 towards addressing the expected shortfall in Primary Care capacity to serve the occupants of the development to be spent in connection with the provision of additional clinical capacity at Holland House Surgery, Lytham.
- d) A fee equivalent to £300 per trigger towards the Council’s costs incurred in monitoring the contributions set out in b) and c) above.

Stipulation 2:

The following conditions (including any amendment to the wording of these conditions or additional conditions that the Head of Planning considers necessary to make otherwise unacceptable development acceptable):

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Drawing no. 00027-XX-T-PL-900-006 – Location plan.

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- Drawing no. 00027-XX-T-PL-900-004 Rev P1 – Site plan.
- Drawing no. 00027-XX-T-PL-900-001 Rev P1 – Floor plans.
- Drawing no. 00027-XX-T-EL-900-002 Rev P1 – GA elevations.
- Drawing no. 00027-XX-T-SE-900-003 Rev P1 – Sections.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

3. All occupiers of the apartments hereby approved shall have unrestricted access at all times to the communal facilities (including, but not limited to, the restaurant, residents' lounges, hair salon, activities & crafts room, cinema and communal gardens) located within the development known as 'The Sidings, Wharf Street, Lytham, FY8 5DP' granted by planning permission 20/0417 and the connecting pedestrian route between the development hereby approved and 'The Sidings' annotated as "pedestrian connection to existing building" on drawing no. 00027-XX-T-PL-900-004 Rev P1 shall be constructed and made available for use before any of the apartments hereby approved are first occupied. This connecting pedestrian route shall be retained as such and remain unobstructed thereafter.

Reason: To ensure that future occupiers of the development have unfettered access to the communal facilities at 'The Sidings' in order that the development functions properly as a retirement community with the shared, communal facilities required for developments involving the provision of specialist accommodation for the elderly in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy H2.

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the development shall be constructed in accordance with the materials detailed on the approved plans listed in condition 2 of this permission.

Reason: To ensure the use of appropriate materials which are sympathetic to the character of surrounding buildings and the area in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2 and GD7, and the National Planning Policy Framework.

5. No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Local Planning Authority. The CMS shall include the following details:
  - a) hours and days of work for site preparation, delivery of materials and construction;
  - b) areas designated for the loading, unloading and storage of plant and materials;
  - c) arrangements for the provision of wheel washing and road sweeping facilities to minimise the deposit of mud and other similar debris on adjacent highways, including details of how, when and where the facilities are to be used;
  - d) arrangements for the parking of vehicles for site operatives and visitors;
  - e) arrangements for vehicle manoeuvring to be made within the site including swept path analysis showing access for the largest vehicles regularly accessing the site and measures to ensure adequate space is available and maintained, including any necessary temporary traffic management measures.
  - f) times when trips by heavy construction vehicles should not be made to and from the site (e.g. to avoid peak hours);
  - g) routes to be used by heavy construction vehicles carrying plant and materials to and from the site;
  - h) measures to ensure that construction and delivery vehicles do not impede access to surrounding properties;



- i) measures to protect vulnerable road users (pedestrians and cyclists);
- j) measures to control the emission of dust and dirt during the construction period;
- k) measures to monitor, mitigate and control noise and vibration during the construction period, including the management of complaints;
- l) a nominated person who will act as the 24 hour point of contact in the event of any emergencies;
- m) the siting, luminance and design of any external lighting to be used during the construction period;
- n) the erection and maintenance of security hoarding;
- o) a strategy to inform neighbouring occupiers (which as a minimum, shall include those adjacent to the site boundaries) of the timing and duration of any piling operations, and contact details for the site operator during this period.

The development shall thereafter be carried out in full accordance with the duly approved CMS.

Reason: To ensure that appropriate measures are put in place before any development commences to limit the potential for noise, nuisance and disturbance which may harm the amenity of surrounding occupiers and to avoid undue obstruction of and/or disruption to the function of the surrounding highway network during the construction of the development in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

6. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the remediation of contamination on the site shall be carried out in full accordance with the details and timetable contained within the document titled 'Options Appraisal and Remediation Strategy Report' (document reference S11978-JNP-XX-XX-RP-G-0003, dated October 2023) by JNP Group Consulting Engineers. A verification report confirming the implementation of the approved remediation strategy shall be submitted to and approved in writing by the Local Planning Authority before any of the apartments hereby approved are first occupied.

Reason: To ensure the safe development of the site and to secure appropriate remediation of any contamination in order to prevent pollution of the surrounding environment in the interests of the amenity of future occupiers and other sensitive receptors in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD9 and the National Planning Policy Framework.

7. No above ground works of development shall take place until details of finished ground floor levels for the building and ground levels for the external areas of the site, above ordnance datum and with reference to an off-site datum(s), have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the duly approved details.

Reason: To ensure a satisfactory relationship between the development and surrounding buildings and/or land uses before ground works to establish site levels are completed in the interests of ensuring a good standard of amenity for existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2 and GD7 and the National Planning Policy Framework.

8. Unless an alternative strategy for the disposal of foul and surface water from the development has first been submitted to and approved in writing by the Local Planning Authority, foul and surface water from the development shall be disposed of in accordance with the details contained within the document titled 'Drainage Strategy' (document reference 00027-652, dated November 2023) by Adlington Retirement Living. The measures contained within the Drainage Strategy which are designed to restrict the rate of surface water discharge from the site (specifically those referenced in paragraph 3.4 and shown in Appendix A of the Drainage Strategy) and all other drainage infrastructure and apparatus shall be fully installed and made available for use before any of the apartments hereby approved are first occupied. The duly installed drainage system shall thereafter be maintained in accordance with the 'Operation and Maintenance Manual' contained in Appendix C of the Drainage Strategy.

Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water and subsequent maintenance of the drainage system in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2 and the National Planning Policy Framework.

9. None of the apartments hereby approved shall be occupied unless and until a Verification Report for the construction of the surface water drainage system installed pursuant to condition 8 of this permission has been submitted to and approved in writing by the Local Planning Authority. The Verification Report shall: i) demonstrate that the surface water drainage system installed pursuant to condition 8 of this permission has been constructed in accordance with the duly approved scheme (or any approved variation of it) and is fit for purpose; and ii) contain information and evidence, including photographs and full as-built drawings, showing details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets and control structures). The surface water drainage system shall thereafter be retained in accordance with the details in the duly approved Verification Report.

Reason: To ensure that flood risks from the development to the future occupiers of the development and the occupiers of neighbouring land are minimised, together with those risks to controlled waters, property and ecological systems, and to ensure that the development is constructed in accordance with the duly approved surface water drainage scheme in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies CL1 and CL2, and the National Planning Policy Framework.

10. None of the apartments hereby approved shall be occupied until a scheme for the siting, layout, design and construction of the following highway improvement works has been submitted to and approved in writing by the Local Planning Authority:

- a) The modification of the existing site access onto West Cliffe to provide a suitable kerbed radius and pedestrian dropped kerbs on both sides of the access.
- b) The re-construction of the full length of footway located on the west side of West Cliffe from the north side of the junction of North Warton Street up to (and including) the site access.

The highway improvement works shall be implemented in full accordance with the duly approved scheme and made available for use before any of the apartments hereby approved are first occupied.

Reason: To secure appropriate and proportionate improvements to surrounding highway infrastructure in order to ensure a safe and suitable means of access to the site for all users in the interests of highway safety in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7, and the National Planning Policy Framework.

11. The 13 vehicle parking spaces and vehicle turning head/drop off/ambulance waiting area identified on drawing no. 00027-XX-T-PL-900-004 Rev P1 shall be constructed and marked out in accordance with the details shown on the approved plan and made available for use before any of the apartments hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure adequate provision for off-road vehicle parking, waiting (including for emergency vehicles) and manoeuvring in the interests of highway safety and the amenity of future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2, GD7 and T5, and the National Planning Policy Framework.

12. Before any of the apartments hereby approved are first occupied a scheme for the provision of charging points for plug-in and other ultra-low emission vehicles within the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the number, siting, size and design of the charging points, and a timetable for their provision. All the charging points shall be provided and made available for use in accordance with the details and timetable in the duly approved scheme, and shall be retained as such thereafter.

Reason: To support the shift towards new technologies and fuels by promoting low carbon travel choices and to ensure that the development delivers suitable infrastructure which is designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy T4 and the National Planning Policy Framework.

13. Notwithstanding the requirements of condition 12 of this permission, all 13 of the vehicle parking spaces shown on drawing no. 00027-XX-T-PL-900-004 Rev P1 and constructed pursuant to condition 11 of this permission shall be made available for the parking of any type of vehicle within them and their use shall not be reserved or otherwise restricted in any way for the parking of plug-in and/or other ultra-low emission vehicles.

Reason: To ensure that the level of parking provision to be made by the development is maintained without any restriction being imposed to the use of the spaces by vehicle type (including its fuel type) in order that adequate provision for off-road vehicle parking is retained in the interests of highway safety and in the interests of the amenity of existing and future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2, GD7 and T5, and the National Planning Policy Framework.

14. Before any of the apartments hereby approved are first occupied, the following elements of the hard landscaping scheme indicated on drawing no. 00027-XX-T-PL-900-004 Rev P1 shall be constructed and made available for use in accordance with the details and materials shown on the approved plan:

- a) The pedestrian access points and associated footpaths into the site from West Cliffe (eastern boundary) and Wharf Street (western boundary).
- b) The full length of the 1.5 metre wide footpath which encircles the perimeter of the building.
- c) The three seating areas (including the installation of benches within them) on the north side of the southernmost stretch of the footpath referenced in b).
- d) All other hard landscaped areas within the external areas of the site.

All elements of the hard landscaping scheme in a) – d) shall be retained as such thereafter.

Reason: To ensure the satisfactory treatment of hard surfaced areas, to provide a safe and suitable means of pedestrian access to and permeability through the site for future users of the development and to provide proportionate external amenity space for future occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2 and GD7.

15. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, all boundary treatments to the site shall be erected in full accordance with the details (including their siting, height, materials and design) shown on drawing no. 00027-XX-T-PL-900-004 Rev P1 before any of the apartments hereby approved are first occupied. Unless otherwise agreed in writing with the Local Planning Authority, all railings and gates which form part of the approved boundary treatments shall be painted or powder coated 'Jet Black' (RAL 9005) within three months of their installation. The duly erected boundary treatments shall be retained as such thereafter.

Reason: To ensure clear demarcation of public and private areas in the interests of security and to ensure that the design and finish of boundary treatments is sympathetic to the character and appearance of the area in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2 and GD7, and the National Planning Policy Framework.

16. No development involving the removal of the existing close-boarded timber fence positioned on the western boundary of the site shall take place unless and until a scheme for the provision of replacement signage to restrict the use of the 10 parking spaces located opposite nos. 7-15 Wharf Street by residents of Wharf Street only has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include

details of the size, siting, number and design of the replacement signs and a timetable for their provision. All replacement signage shall thereafter be erected in full accordance with the duly approved scheme and the timetable contained therein, and shall be retained as such thereafter.

Reason: The existing signage affixed to the fencing located on the site's western boundary allocates each of the 10 parking spaces to an individual dwelling on Wharf Street and states that the parking spaces are for the private use of those properties, as required by condition 12 of planning permission 20/0417. However, as the existing fence is to be removed as part of the development and replaced with a lower boundary wall, the current signage will be lost and so must be replaced with alternative signage in order to ensure the continued provision of suitable private parking for residents adjacent to the site in the interests of highway safety in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policies GD7 and T5, and the National Planning Policy Framework.

17. Notwithstanding any details shown on the approved plans and the requirements of condition 2 of this permission, before any of the apartments hereby approved are first occupied a soft landscaping scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate compliance with the landscaping principles identified in section 4 of the document titled 'Biodiversity Net Gain Report' (document reference 11633, dated October 2023) by FPCR Environment and Design Ltd and shall include details of the number, size, species, siting, planting distances/densities and the programme of planting of trees, hedges and shrubs. The duly approved soft landscaping scheme shall be carried out during the first planting season after the development is substantially completed and the areas which are landscaped shall be retained as landscaped areas thereafter. Any trees, hedges or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees, hedges or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure proportionate provision of outdoor amenity space for future occupiers of the development, to enhance the character and appearance of the street scene and to provide measurable net gains for biodiversity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2, GD7, ENV1 and ENV2, and the National Planning Policy Framework.

18. Before any of the apartments hereby approved are first occupied, a 30 year Habitat Management Plan (HMP) containing a strategy for the future management and maintenance of the on-site biodiversity net gain habitats to be created pursuant to condition 17 of this permission shall be submitted to and approved in writing by the Local Planning Authority. The HMP shall include the following details:

- a) A description and evaluation of the features to be managed;
- b) An analysis of ecological trends and constraints on the site that might influence management;
- c) Aims, objectives and targets for management;
- d) A description of the management operations necessary to achieve the aims and objectives in c);
- e) Prescriptions for management actions;
- f) A works schedule and timetable for implementation (including an annual work plan capable of being rolled forward).
- g) Details of the persons, body or organisation responsible for implementation and monitoring;
- h) Arrangements for ongoing monitoring and remedial measures, including how contingencies and/or remedial action will be identified, agreed and implemented where the results from monitoring show that conservation aims and objectives of the HMP are not being met, so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.
- i) Mechanisms of adaptive management to account for necessary changes in work schedules to achieve the required targets;
- j) The legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body responsible for its delivery.
- k) Provisions for reporting to the Local Planning Authority in years 1, 2, 5, 10, 20 and 30, with biodiversity reconciliation calculations at each stage.

The duly approved HMP shall thereafter be implemented in accordance the details, monitoring/reporting regime, remedial measures and timetable contained therein.

Reason: To ensure that an appropriate long term plan for the management and maintenance of the on-site biodiversity net gain habitat creation measures to be delivered by the development is put in place in order to secure the ongoing protection and effective management of the new habitat features to be created as part of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2 and the National Planning Policy Framework.

19. None of the apartments hereby approved shall be occupied until a scheme for the incorporation of the following biodiversity enhancement measures, including details of their location and specification, into the development has been submitted to and approved in writing by the Local Planning Authority:

- a) The installation of the three bat boxes referenced in paragraph 4.13 of the document titled 'Ecological Appraisal' (document reference 060923, dated September 2023) by FPCR Environment and Design Ltd.
- b) The installation of the four bird boxes referenced in paragraph 4.18 of the document titled 'Ecological Appraisal' (document reference 060923, dated September 2023) by FPCR Environment and Design Ltd.

The bat and bird boxes in a) and b) shall be installed in full accordance with the details in the duly approved scheme before any of the apartments hereby approved are first occupied, and shall be retained as such thereafter.

Reason: To ensure that the development delivers appropriate biodiversity enhancements for protected species in accordance with the objectives of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2 and the National Planning Policy Framework.

20. No clearance of any vegetation (either in preparation for or during the course of development) shall take place during the bird nesting season (between 1 March and 31 August inclusive) unless a survey conducted by a suitably qualified ecologist which demonstrates that the vegetation to be cleared does not accommodate any active bird nests has first been submitted to and approved in writing by the Local Planning Authority. Should the survey reveal the presence of any active bird nests then no clearance of any vegetation shall take place during the bird nesting season until a scheme for protecting nest sites during the course of the development has been submitted to and approved in writing by the Local Planning Authority. Nest site protection shall thereafter be provided in accordance with the duly approved scheme.

Reason: In order to prevent any habitat disturbance to nesting birds in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy ENV2, the National Planning Policy Framework and the Wildlife and Countryside Act 1981 (as amended).

21. The following elements of the development's supporting infrastructure shall be constructed in full and made available for use before any of the apartments hereby approved are first occupied, and shall be retained as such thereafter:

- a) The outbuilding within the vehicle parking area containing the combined refuse, mobility scooter and bicycle store.
- b) The two Sheffield cycle hoops adjacent to the building's main entrance.

Reason: To ensure that adequate provision is made for the storage of mobility scooters, bicycles and refuse/recycling receptacles in the interests of the amenity of future occupiers and to encourage travel to the site by more sustainable modes of transport in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2, GD7 and T4, and the National Planning Policy Framework.

22. The noise mitigation measures identified in the document titled 'Noise Report Desk Assessment – Wharf Street, Lytham' (reference RC/GM13022-002, dated 31 August 2023) by Wardell Armstrong shall be

implemented before each associated apartment hereby approved is first occupied, and shall be retained as such thereafter.

Reason: To ensure that appropriate and proportionate measures are put in place to mitigate the impacts arising from noise generated by surrounding uses on the amenity of future occupiers of the development in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policies H2 and GD7, and the National Planning Policy Framework.

23. Before the apartment labelled 'Apt 18' on drawing no. 00027-XX-T-PL-900-001 Rev P1 is first occupied, the two first floor windows in its north facing elevation (the positions of which are identified on drawing no. 00027-XX-T-EL-900-002 Rev P1) shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and shall be non-opening. The duly installed windows shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between apartment 18 of the development and adjacent properties to the north on West Cliffe in order to preserve the privacy of existing occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

24. The 2 metre high privacy screen to the north side of the first floor balcony for the apartment labelled 'Apt 18' on drawing no. 00027-XX-T-PL-900-001 Rev P1 shall be fitted with obscured glass which achieves a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) and installed in the position shown on drawing nos. 00027-XX-T-PL-900-001 Rev P1 and 00027-XX-T-EL-900-002 Rev P1 before the balcony is first brought into use. The duly installed privacy screen shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between apartment 18 of the development and adjacent properties to the north on West Cliffe in order to preserve the privacy of existing occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

25. The glazed balustrades to all the first floor Juliet balconies hereby approved shall be installed in the positions shown on drawing nos. 00027-XX-T-PL-900-001 Rev P1 and 00027-XX-T-EL-900-002 Rev P1 before each associated balcony is first brought into use, and shall be retained as such thereafter. No part of the flat roof of any structure protruding beyond the outer edge of the balconies at ground floor level shall be used as a balcony, roof terrace or any other outdoor amenity area.

Reason: To ensure that the Juliet balconies do not protrude beyond the outer wall of the building and that their guard rails prevent access onto protruding features at ground floor level in order to limit views available from the Juliet balconies towards surrounding properties in order to preserve the privacy of existing occupiers in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

### **Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.

2. Drainage strategy (conditions 8 and 9):

The applicant is advised that the details pertaining to the drainage strategy for the development required by conditions 8 and 9 of this permission will require an agreement with the appropriate Water and Sewerage Undertaker to connect to the public sewerage system, alongside any Section 104 agreements for the adoption of the proposed surface water sustainable drainage system.

The following advice is provided to inform the applicant of the LLFA's expectations at the discharge of conditions stage:

- Discharge rate – the proposed discharge rate of 7.3 l/s is several times higher than the greenfield runoff rate for the site, and higher than the greenfield response rate represented by soil type 5 (~2 l/s) which is the suggested reasonable approximation of the existing pre-development runoff rates for brownfield sites without existing drainage, as set out in section 24.5 of the Ciria SuDS Manual. The LLFA has not objected to this proposed higher discharge rate as the applicant has provided evidence of an agreement with United Utilities as the asset owner of the receiving public sewer to discharge at 30 l/s for the overall 1 ha site.
- Agreement with United Utilities – the correspondence included as an appendix in the submitted FRA is from 2017. As such, the applicant must provide evidence at the discharge of conditions stage that demonstrates that the agreement with United Utilities to discharge surface water to their asset is still in place.

3. Highways (condition 10):

The new/modified vehicle access point onto West Cliffe within the adopted highway will need to be constructed in accordance with a specification approved by the Local Highway Authority (Lancashire County Council) as part of an agreement entered into under section 278 of the Highways Act 1980.

<b>Application No:</b>	23/0807	<b>Application Type:</b>	Full Planning Permission
<b>Applicant:</b>	HANNAN	<b>Agent:</b>	NIGEL ROBINSON
<b>Location:</b>	PATHWAYS STABLES, BLACKPOOL ROAD, NEWTON WITH CLIFTON, PRESTON PR4 3RJ		
<b>Proposal:</b>	ERECTION OF BUILDING FOR THE STORAGE OF HAY, SHAVINGS AND MACHINERY ASSOCIATED WITH ADJACENT STABLES		
<b>Ward:</b>	Rural East Fylde	<b>Parish:</b>	Newton with Clifton

**Decision**

Granted

**Conditions**

1. The development must be begun not later than the expiration of three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. This permission relates to the following plans:

- Drawing no. NCR/JC/PATH/STORE/01 – Location plan.
- Drawing no. NCR/JC/PATH/STORE/03 – Proposed site plan.
- Drawing no. NCR/JC/PATH/STORE/04 Rev A - Proposed Elevations, Floor & Roof Plan.

Except as provided for by other conditions to this permission, the development shall be carried out in complete accordance with the approved drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans in the interests of proper planning in accordance with the policies contained within the Fylde Local Plan to 2032 (incorporating Partial Review) and National Planning Policy Framework.

3. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the building hereby approved shall be constructed in accordance with the materials detailed on drawing no. NCR/JC/PATH/STORE/04 Rev A.

Reason: To ensure the use of appropriate materials which are sympathetic to the rural character of the site and its surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

4. Unless alternative details have first been submitted to and approved in writing by the Local Planning Authority, the external surfaces of the roller shutter door to the building's front (north facing) elevation and the emergency exit door to the building's side (west facing) elevation shall be painted or powder coated 'Juniper Green' (BS12B29) within 3 months of their installation on the building hereby approved.



Reason: To achieve an appropriate finish to the external surfaces of the proposed roller shutter and exit door to avoid a galvanised, industrial appearance to these features to ensure the use of appropriate materials which are sympathetic to the rural character of the site and its surroundings in the interests of visual amenity in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

5. Notwithstanding any details contained within the application and the requirements of condition 2 of this permission, a scheme for the installation of any exterior lighting on the building shall be submitted to and approved in writing by the Local Planning Authority before any such lighting is installed. The scheme shall include details of the lighting's: i) position and height on the building; ii) spillage, luminance and angle of installation; and iii) any shields or hoods to be fixed to the lights. All exterior lighting shall thereafter be installed in accordance with the duly approved scheme.

Reason: To ensure that any external lighting to be installed on the building does not cause a nuisance to existing and future occupiers or detract from visual amenity in the surrounding area as a result of light pollution in accordance with the requirements of Fylde Local Plan to 2032 (incorporating Partial Review) policy GD7 and the National Planning Policy Framework.

### **Informative(s)**

1. Statement under Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Planning Authority worked positively and proactively with the applicant to identify solutions during the application process in order to ensure that the proposal comprises sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. These amendments have been incorporated into the scheme and/or secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraph 38 of the National Planning Policy Framework.